

**CITY OF MILPITAS PLANNING COMMISSION
FINAL AGENDA FOR OCTOBER 8, 2008
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under three minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

- IV. APPROVAL OF MINUTES:** September 24, 2008
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**
- VIII. CONSENT CALENDAR (Items with an asterisk *)**

The consent calendar items are considered to be routine and will be considered with one public hearing and adopted by one motion. There will be no separate discussion of these items unless a member of the Planning Commission, member of the audience, or staff requests the Planning Commission to have an item removed from or added to the consent calendar. Any person desiring to speak on any item on the consent calendar should ask to have that item removed from the consent calendar. If removed, this item will be discussed in the order in which it appears on the agenda.

IX. PUBLIC HEARING

- * 1. CONDITIONAL USE PERMIT NO. UP08-0013 AND SITE DEVELOPMENT PERMIT AMENDMENT NO. SA08-0013 (CONTINUED FROM SEPTEMBER 24, 2008):** A request to install a 45-foot tall double-sided, multi-paneled internally illuminated freestanding sign and approve a master sign program for Dixon Landing Plaza located at 1545-1551 California Circle (APN: 022-37-040 and 049), zoned Industrial Park. Applicant: Tom Whitson, Arrow Sign Company. Staff Contact: Cindy Hom (408) 586-3284. (PJ# 2521) *(Recommendation: Continue to October 22, 2008)*
- 2. CONDITIONAL USE PERMIT NO. UP08-0035:** A request to allow a new cinema operator to occupy an existing vacant theater at 200 Serra Way (APN: 086-07-032). The site is zoned General Commercial with a Site and Architectural and the Gateway Office Overlays (C2-S-OO). The site is also located in the Midtown Specific Plan. The building was previously the site of the Serra Theaters and the applicant proposes to retain the same name, as well as the existing façade and interior. Applicant: Bhaskararao V. Molakalapalli. Staff Contact: Julie Moloney (408) 586-3384. PJ # 2550. *(Recommendation: Adopt Resolution No. 08-054 approving the project.)*

3. **CONDITIONAL USE PERMIT NO. UP08-0015, SITE DEVELOPMENT PERMIT AMENDMENT NO. SA08-0023, AND ENVIRONMENTAL ASSESSMENT NO. EA08-0003:** A request to locate a 39,626 square foot church and charitable facility consisting of a sanctuary hall, prayer rooms, administrative offices, classrooms, dining hall, and a multi-purpose room that will be converted into a future auditorium upon build out of the project. The project will be implemented in two phases. Phase I consists of the formation of the sanctuary hall, prayer rooms, multi-purpose room, dining hall and kitchen. Phase II consists of converting the multi-purpose room and ancillary space into an auditorium and upgrading the kitchen facility with commercial appliances. The facility would operate seven days a week from the hours of 6:00AM to 9:30 PM. The project request also includes a request to permit joint use parking and installation of minor site improvements for the building located at 1221 California Circle (APN 022-52-017), zoned Industrial Park. Applicant: Raj Yadav. Staff Contact: Cindy Hom (408)586-3284. PJ# 2522. *(Recommendation: Adopt Resolution No. 08-055 approving the project and adopting the Mitigated Negative Declaration.)*

Any person aggrieved by any final decision of any, board, commission, or department head to the City of Milpitas may appeal the decision to the City Council by filing written notice of the appeal with the City Clerk within twelve (12) calendar days of the date of said decision and paying the required fee. This time limit shall be strictly enforced.

X. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS October 22, 2008

The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members (currently Sudhir Mandal-regular member, Larry Ciardella-regular member, Gurdev Sandhu - alternate member) of the Planning Commission, who have approval authority for Minor Site Development Permits and other minor project reviews not involving public hearings. **This project review will be held at 6:30 P.M. in the City of Milpitas Committee Conference Room, First Floor, 455 E. Calaveras Boulevard.**

- a. **MINOR SITE DEVELOPMENT PERMIT NO. MS08-0017, PUMPKIN PATCH:** A request to locate a pumpkin patch sponsored by the Milpitas Rotary Club starting Friday October 17, 2007 through Thursday October 30, 2007 within the Milpitas Unified School District's parking lot at 1131 E Calaveras Blvd. (APN: 029-17-002) zoned Institutional with Site and Architectural Overlay (I-S). Applicant: Milpitas Rotary Club. Staff Contact: Tiffany Kunsman, (408) 586-3283. *(Recommendation: Approve Minor Site Development Permit MS08-0017 subject to the attached Conditions of Approval)*
- b. **MINOR SITE DEVELOPMENT PERMIT NO. MS08-0018:** A request to construct a 3,520 square foot equipment enclosure at the rear of the building at 1210 California Circle (APN: 22-37-017), zoned Industrial Park with Site and Architectural Overlay (MP-S). The enclosure will hold storage tanks and related equipment and will be fenced with a ten foot chain link fence with vertical slats. There will also be a metal canopy covering a portion of the enclosure. Applicant: CAS Architects – Lorraine Vallero. Staff Contact: July Moloney, (408) 586-3384. *(Recommendation: Approve Minor Site Development Permit MS08-0018 subject to the attached Conditions of Approval)*
- c. **ADMINISTRATIVE PERMIT NO. AD08-0013:** A request to hold a one-day outdoor event for the San Disk Employee Celebration that will be held on Friday, October 31, 2008 between the hours of 11:00AM to 3:00PM in the campus courtyard located at 500 McCarthy Blvd, (APN 86-01-036), zoned Industrial Park with Site and Architectural Overlay (MP-S). Applicant: Helen Gettinger. Staff Contact: Cindy Hom

(408) 586-3284. *(Recommendation: Approve Administrative Permit No. AD08-0013 subject to the attached Conditions of Approval)*

KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and the City operations are open to the people's review. Materials related to an item on this agenda submitted to the Planning Commission after initial distribution of the agenda packet are available for public inspection at the Planning Department at Milpitas City Hall, 455 East Calaveras Boulevard, Milpitas, CA 95035 during normal business hours. FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE OPEN GOVERNMENT SUBCOMMITTEE at the City Attorney's office at the Milpitas City Hall, 455 E. Calaveras Blvd, Milpitas, CA 95035.

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A free copy of the Open Government Ordinance is available from the City Clerk's Office or by visiting the City's website www.ci.milpitas.ca.gov Select Open Government Ordinance under News Features